

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

AUSTIN ONUSZ, CEDRIC KEES VAN PUTTEN,
NICHOLAS J. MARSHALL and HAMAD DAR,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

WEST REALM SHIRES INC., WEST REALM
SHIRES SERVICES INC. (D/B/A FTX US), FTX
TRADING LTD., ALAMEDA RESEARCH LLC,
SAM BANKMAN-FRIED, ZIXIAO WANG,
NISHAD SINGH and CAROLINE ELLISON,

Defendants.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

Adversary Proceeding No. 22-50513 (JTD)

RE: Adv. D.I. 1, 31 and 35

CERTIFICATION OF COUNSEL

I, Gregory T. Donilon, counsel to Samuel Bankman-Fried, hereby certify as follows with respect to the [proposed] *Order Approving Third Stipulation Regarding (i) Extension of Response Deadline and (ii) Adjournment of Pretrial Conference* (the “Proposed Order”) attached to this certification as **Exhibit 1**:

1. On December 27, 2022, Plaintiffs Austin Onusz, Cedric Kees van Putten, Nicholas J. Marshall and Hamad Dar (collectively, the “Plaintiffs”) filed the *Adversary Complaint for*

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

Declaratory Judgment and Violations of Common Law [Adv. D.I. 1] (the “Complaint”), thereby commencing the above-captioned adversary proceeding against, among others, Mr. Bankman-Fried.

2. On January 27, 2023, Mr. Bankman-Fried’s counsel accepted service on his behalf of the Complaint, along with a *Summons and Notice of Pretrial Conference in an Adversary Proceeding* (the “Summons and Notice”). Pursuant to the Summons and Notice, a pretrial conference (the “Pretrial Conference”) in the above-captioned adversary proceeding was originally scheduled for April 12, 2023.

3. On April 10, 2023, the Court entered the *Order Approving Stipulation Regarding (i) Extension of Response Deadline and (ii) Adjournment of Pretrial Conference*, thereby approving the *Stipulation Regarding (i) Extension of Response Deadline and (ii) Adjournment of Pretrial Conference* [Adv. D.I. 31] (the “First Stipulation”), dated April 7, 2023, between Plaintiffs and Mr. Bankman-Fried (together, the “Parties”). By the First Stipulation, the Parties stipulated and agreed that: (i) the deadline for Mr. Bankman-Fried to answer, move or otherwise respond to the Complaint was extended to and including April 27, 2023 (the “Response Deadline”), and (ii) the date of the Pretrial Conference was adjourned to May 17, 2023, at 1:00 p.m. (ET).

4. On April 26, 2023, the Court entered the *Order Approving Second Stipulation Regarding (i) Extension of Response Deadline and (ii) Adjournment of Pretrial Conference*, thereby approving the *Second Stipulation Regarding (i) Extension of Response Deadline and (ii) Adjournment of Pretrial Conference* [Adv. D.I. 35] (the “Second Stipulation”), dated April 26, 2023, between the Parties. By the Second Stipulation, the Parties stipulated and agreed that: (i) the Response Deadline was extended to and including June 15, 2023 (the “Response Deadline”), and (ii) the date of the Pretrial Conference was adjourned to July 19, 2023, at 1:00 p.m. (ET).

5. As set forth in the *Third Stipulation Regarding (i) Extension of Response Deadline and (ii) Adjournment of Pretrial Conference* (the “Third Stipulation”) between the Parties, attached to the Proposed Order as **Exhibit A**, the Parties have stipulated and agreed that: (i) Mr. Bankman-Fried’s Response Deadline shall be further extended to and including July 31, 2023, and (ii) the date of the Pretrial Conference shall be adjourned to the date and time of the first omnibus hearing in the chapter 11 cases of the above-captioned debtors to be scheduled after July 31, 2023.

WHEREFORE, the Parties respectfully request that the Court enter the Proposed Order, including the Third Stipulation attached thereto as Exhibit A, at its earliest convenience.

Dated: June 15, 2023
Wilmington, Delaware

Respectfully submitted,

**MONTGOMERY McCracken Walker &
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